

THE HONORABLE MARSHA J. PECHMAN

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

WASHINGTON MUTUAL BANK, a federal
association,

Plaintiff,

v.

M/V WILDERNESS EXPLORER, Coast
Guard Official No. 520611, IN REM,

Defendant.

WASHINGTON MUTUAL BANK, a federal
association,

Plaintiff,

v.

M/V WILDERNESS ADVENTURER, Coast
Guard Official No. 664136, IN REM,

Defendant.

WASHINGTON MUTUAL BANK, a federal
association,

Plaintiff,

v.

M/V WILDERNESS DISCOVERER, Coast
Guard Official No. 952722, IN REM,

Defendant.

IN ADMIRALTY

CONSOLIDATED ACTIONS

No. C06-0105 MJP

**ORDER ON MOTION TO REQUIRE
INTERVENORS TO SHARE
EXPENSES *IN CUSTODIA LEGIS***

No. C06-0106 MJP

No. C06-107 MJP

[PROPOSED] ORDER - 1
Case No. C06-0105 MJP

251600.0046/1272113.1

LANE POWELL PC
1420 FIFTH AVENUE, SUITE 4100
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The above-entitled Court, having received and reviewed:

1. Motion to Require Harbor Enterprises Inc. d/b/a Petro Marine Services and Shoreside Petroleum Inc. to Share Expenses *In Custodia Legis* Pursuant to LAR 131(d)
2. Opposition to Motion to Require Intervenors to Share Expenses *In Custodia Legis*
3. Plaintiff's Reply Motion to Require Harbor Enterprises Inc. d/b/a Petro Marine Services and Shoreside Petroleum Inc. to Share Expenses *In Custodia Legis* Pursuant to LAR 131(d)

and all accompanying declarations and exhibits, makes the following ruling:

IT IS HEREBY ORDERED that all intervenors in the above-entitled actions shall, as a condition of their continued permissive intervention in the three consolidated actions, share costs and expenses *in custodia legis* with Plaintiff in proportion to the relative lien amounts asserted by the parties.

IT IS FURTHER ORDERED that all intervenors shall reimburse Plaintiff for their proportionate share of the deposit with the United States Marshal, and should each reimburse Plaintiff for their proportionate share of the insurance premiums for policies currently in effect insuring the Vessels.

IT IS FURTHER ORDERED the all intervenors shall share all future costs, expenses, repairs and fees submitted by the Substitute Custodian in proportion to the relative lien amounts asserted by the parties, and that such fees and expenses shall be paid monthly.

IT IS FURTHER ORDERED that all intervenors shall reimburse Plaintiff for all costs, expenses and fees incurred or billed by the Substitute Custodian from January 20, 2006 through the date of this Order in proportion to the relative lien amounts asserted by the

1 parties, and that such payment shall be made no later than ten (10) days from the date of the
2 entry of this order pursuant to LAR 131(d).

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4 SO ORDERED this 7th day of April, 2006.

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6 _____/s Marsha J. Pechman_____
7 Marsha J. Pechman
8 United States District Court Judge
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[PROPOSED] ORDER - 3
Case No. C06-0105 MJP

251600.0046/1272113.1

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